

PUBLIC EMPLOYMENT RELATIONS (EXCERPT)
Act 336 of 1947

423.214 Elections; eligibility to vote; rules; runoff election; effect of collective bargaining agreement; bargaining unit of public employer consisting of individuals not public employees as invalid and void.

Sec. 14. (1) An election shall not be directed in any bargaining unit or any subdivision within which, in the preceding 12-month period, a valid election was held. The commission shall determine who is eligible to vote in the election and shall promulgate rules governing the election. In an election involving more than 2 choices, if none of the choices on the ballot receives a majority vote, a runoff election shall be conducted between the 2 choices receiving the 2 largest numbers of valid votes cast in the election. An election shall not be directed in any bargaining unit or subdivision of any bargaining unit if there is in force and effect a valid collective bargaining agreement that was not prematurely extended and that is of fixed duration. A collective bargaining agreement does not bar an election upon the petition of persons not parties to the collective bargaining agreement if more than 3 years have elapsed since the agreement's execution or last timely renewal, whichever was later.

(2) An election shall not be directed for, and the commission or a public employer shall not recognize, a bargaining unit of a public employer consisting of individuals who are not public employees. A bargaining unit that is formed or recognized in violation of this subsection is invalid and void.

History: Add. 1965, Act 379, Imd. Eff. July 23, 1965;—Am. 1976, Act 18, Imd. Eff. Feb. 20, 1976;—Am. 2012, Act 76, Imd. Eff. Apr. 10, 2012;—Am. 2012, Act 349, Eff. Mar. 28, 2013.

Compiler's note: Enacting section 1 of Act 349 of 2012 provides:

"Enacting section 1. If any part or parts of this act are found to be in conflict with the state constitution of 1963, the United States constitution, or federal law, this act shall be implemented to the maximum extent that the state constitution of 1963, the United States constitution, and federal law permit. Any provision held invalid or inoperative shall be severable from the remaining portions of this act."

Popular name: Public Employment Relations

Administrative rules: R 423.101 et seq. of the Michigan Administrative Code.